

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

RECEIVED  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
MEMPHIS, TN

25 MAY 23 PM 11:30

GARDEN CITY BOXING,

ROBERT A. DITRONE  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

Plaintiff,

v.

No. 03-2451 - B/An

P & C CAFÉ, INC. d/b/a P & C CAFÉ  
a/k/a AFTER DARK BAR & GRILL,

Defendant.

---

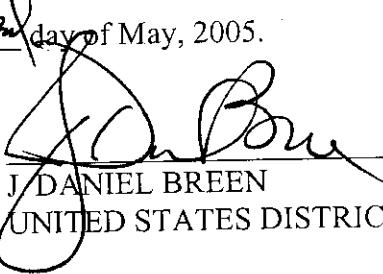
ORDER TO SHOW CAUSE

---

Upon the motion of the Plaintiff, Garden City Boxing, for default against the Defendant, P & C Café, Inc., the Clerk of Court entered an order granting the request for entry of default on April 22, 2005. However, according to the Court's docket, the Plaintiff has not filed a motion for default judgment against the Defendant in accordance with Rule 55(b) of the Federal Rules of Civil Procedure or taken any other action to conclude this matter. Rule 55(b)(2) provides that "the party entitled to a judgment by default shall apply to the court therefor." Fed. R. Civ. P. 55(b)(2).

Accordingly, since no request for a default judgment has been made by the Plaintiff, it is hereby ORDERED to SHOW CAUSE within eleven (11) days of the entry of this order why the lawsuit should not be dismissed for failure to prosecute. Failure to respond to the Court's directive may result in dismissal of the Plaintiff's claims.

IT IS SO ORDERED this 23<sup>rd</sup> day of May, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

19



# Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:03-CV-02451 was distributed by fax, mail, or direct printing on May 25, 2005 to the parties listed.

---

Wayne D. Lonstein  
LONSTEIN LAW OFFICE PC  
1 Terrace Hill  
P.O. Box 351  
Ellenville, NY 12428

Honorable J. Breen  
US DISTRICT COURT